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Liz

FAX Transmission Sheet

May 29, 2003

To: Examiner Mark Osborne Budd Fax No. (703) 872-9318
From: Stephen P. Burr Fax No. (315) 233-8320
Re: In re the Application of: Toshikatsu KASHIWAYA and Mutsumi KITAGAWA
Serial No.: 10/072,297 Art Unit: 2834
Date Filed: February 7, 2002 Conf. No. 9684
Title: PIEZOELECTRIC ELEMENT AND PROCESS FOR PRODUCTION THEREOF
Our Docket No.: 791_160 CIP1

You should receive 3 page(s) including this cover sheet. If you do not receive all pages, please call (315) 233-8300.

COMMENTS:

I hereby certify that the following paper(s) is/are being facsimile transmitted to Examiner Mark Osborne Budd at (703) 872-9318 at the Patent and Trademark Office on May 29, 2003:

| | <u>Paper</u> | <u># of Pages</u> |
|----|---|-------------------|
| 1. | Response to Restriction Requirement | <u>2</u> |

Total Pages (including cover page) 3

Elizabeth A. VanAntwerp

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Practitioner's Docket No.: 791_160 CIP1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Toshikatsu KASHIWAYA and Mutsumi KITAGAWA

Ser. No.: 10/072,297

Art Unit: 2834

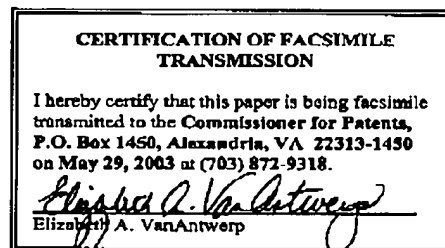
Filed: February 7, 2002

Examiner: Mark Osborne Budd

Confirmation No.: 9684

For: PIEZOELECTRIC ELEMENT AND PROCESS FOR PRODUCTION THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed May 15, 2003, applicants hereby provisionally elect, *with traverse*, to prosecute the claims of Group I (claims 1-27) in this application.

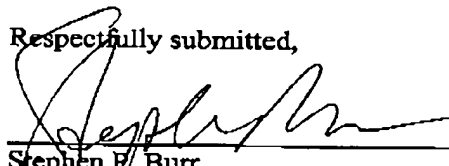
However, applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 29 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the

merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Stephen E. Burr
Reg. No. 32,970

May 29, 2003

Date

SPB/eav

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